

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 1455 OF 2006

DATED: 04-04-2006

BETWEEN:

L.Jaya Reddy

.. Petitioner

And

The Commissioner of Police,
Cyberabad Commissionerate and others

.. Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 1455 OF 2006

ORAL ORDER:

The petitioner submitted a complaint, dated 22.12.2005, claiming to have purchased 00.36 guntas of open land in Survey No.22, situated at Gachibowli Village through a registered General Power of Attorney and subsequently a registered Sale Deed dated 30.06.2005. The complaint also asserts that the fourth respondent who owns land in Survey No.48 and 49 of Gachibowli Village “ has encroached some part of my land and refused to vacate it despite of my repeated requests”, that the continued actions of the fourth respondent in trying to grab the petitioner’s land is prejudicing his legal entitlement to the lands; and that the 4th respondent has also removed the survey stones laid in the presence of Survey Department Officials and Police Personnel.” The complaint, dated 22.12.2005 furnishes no particulars i.e. no date, time or other particulars as to when the fourth respondent has allegedly done all this.

The fourth respondent is before this Court today. He states that the petitioner is a professional land grabber; there is no land in Survey No.22 to which the petitioner is legally entitled to; and therefore, no relief could be granted to the petitioner and no direction to the respondents 1 to 3.

The respondent No.4 claims to be the owner of lands in Survey No.47 and 48 of Gachibowli Village. But nevertheless he is passionately interested in what the petitioner is allegedly doing in Survey No.22. Facially the lis presented in this writ petition concerns, claims and counter claims to the property and prima facie the petitioner's complaint dated 22.12.2005 does not disclose a cognizable offence. If the petitioner desires to protect his property against any civil aggression of the fourth respondent, the petitioner must invoke the jurisdiction of the Civil Court for appropriate relief. The respondents 1 to 3 and in the context of inadequate manpower cannot be expected to provide protection to all immovable properties in the State much of which, in particular in Hyderabad and Ranga Reddy Districts are subject to similar complaints as the petitioner makes in this writ petition.

For the aforesaid reasons, the writ petition is dismissed with a liberty to the petitioner to pursue his appropriate remedies. No costs.

JUSTICE GODA RAGHURAM

Dated:04-04-2006

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